

To the Members of the California State Senate:

I am signing Senate Bill 81, an important measure which enacts several public safety provisions of the Budget Act of 2007. However, there are a few flaws that will require the Legislature to work with my Administration to clean up in subsequent legislation.

First, as it relates to juvenile justice reform, this bill requires counties planning to use local facilities for the purposes of housing juvenile offenders between the ages of 19 and 21 to seek approval from the Corrections Standards Authority (CSA), which must act within 30 days of notification by the counties. In addition, this bill requires CSA to approve the counties' Juvenile Justice Development Plans, which must be submitted to CSA no later than January 1, 2008. It is unclear whether CSA should have an approval role in either of these situations, has the resources to meet the requirements, and can act within the specified timeframe. Therefore, CSA's role should be clarified in clean-up legislation.

In addition, I am directing the Office of Inspector General (OIG) to implement only a portion of the provisions (Sections 13 and 14) that would require the OIG to include specified information in audits of wardens and juvenile facility superintendents. The intent of the amendment to these sections was to require the OIG to include an assessment of facility maintenance as part of the warden evaluation process. I agree that facility maintenance in correctional institutions is a significant issue that should be reviewed. However, this measure appears to require the OIG to include specified new information in every audit, which would create an additional workload burden that cannot be managed within existing resources. Additionally, it is my understanding that evaluations of facility maintenance in the quadrennial audits can be performed within existing budgetary resources, which is consistent with the direction from the Legislature in this regard. Therefore, I am directing the OIG to comply with the original intent of these sections, and to address this drafting error by proposing future cleanup legislation.

Sincerely,

Arnold Schwarzenegger